

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Feb 20, 2025

SEAN F. McAVOY, CLERK

KELLY E. SMALL \_\_\_\_\_  
Petitioner \_\_\_\_\_  
v. \_\_\_\_\_  
\_\_\_\_\_ ) Civil Action No. 2:23-CV-00005-MKD  
\_\_\_\_\_ )  
\_\_\_\_\_ )

JAMES KEY \_\_\_\_\_  
Respondent \_\_\_\_\_

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that (*check one*):

the plaintiff (*name*) \_\_\_\_\_ recover from the defendant (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_\_ %, plus post judgment interest at the rate of \_\_\_\_\_ % per annum, along with costs.

the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_.

other: The Court ADOPTS the Report and Recommendation, ECF No. 12. The Petition for Writ of Habeas Corpus, ECF No. 1, is DENIED.  
Judgment in favor of Respondent.

This action was (*check one*):

tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.

tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.

decided by Judge MARY K. DIMKE \_\_\_\_\_ on a motion for

Date: 2/20/2025

*CLERK OF COURT*

SEAN F. McAVOY

s/ Wendy Kirkham  
(By) Deputy Clerk

Wendy Kirkham